

**BOARD OF SELECTMEN  
MEETING MINUTES  
10/20/09**

The Board of Selectmen met in the Town Hall, Joseph F. Bilotta Meeting Room as scheduled with Thomas Alonzo, Paula Bertram, Steven M. deBettencourt, Thomas Mason and Dave Matthews present, CAFO Kerry Speidel absent. Meeting opened at 7:01 P.M. with the Pledge of Allegiance

**PUBLIC DISCUSSION**

Lisa Normandin informed the board that as President of the Lunenburg Family Lions Club and with the down turn in the economy, the club is asking the residents to support their food pantry and donate non-perishable food goods, bins are located at the Public Safety Building, Town Hall, and Public Library. Money donations can be left with either Lisa or with David Clements and left at the Public Safety Building. Also, roadblock is scheduled for November 14<sup>th</sup> and is requesting permission to once again have the roadblocks in the center of town and the Whalom Road, Electric Ave. intersection; per Chair doesn't see problem however, need to confirm with Police Chief.

Representative Jennifer Benson and members of the Charter Review Committee were present and according to Jennifer all the changes that were approved by Town Meeting to the Charter have today been approved by both the legislature and the Governor and they are now official. Chair expressed appreciation for all those involved in their work in getting this accomplished. Two major changes are that the Sewer Commission is now elected and Finance Committee is appointed by the School Committee, the Board of Selectmen and the Moderator. Charter is now officially known as Chapter 113 of the Acts of 2009 and will be posted on the website. Tom M., noted the last member of the Board on Health is also an elected position. Chair glad that this all went through without any changes throughout all the committees. Paula would really urge people to come forward to be appointed to and to run for the position of Sewer Commission as they are still operating with only three members and it is a five member committee.

**ANNOUNCEMENTS**

**1. Yard Waste Days: Saturdays/October 17<sup>th</sup> thru November 21<sup>st</sup> from 8:00 AM to 4:00 PM** – At the Lunenburg Landfill, Youngs Road. Acceptable material: grass clippings, bark mulch, wood chips, leaves, brush (with a diameter not to exceed 3 inches, unlimited length). Shrubbery and plantings; with the same restrictions. Any container, bags, boxes, barrels, trashcans, tarps, flower pots, etc., must be removed and taken by the resident. No household garbage, trash, or rubbish of any kind will be accepted. No materials within the Landfill area; sand, stone, gravel, etc. are to be given away or sold. Access will be restricted to the disposal area. Commercial landscapers will not be allowed to dump. Open to Lunenburg residents only.

**APPOINTMENTS**

**1. 7:10 PM – Loxi Jo Calmes, School Superintendent** – Loxi reviewed the draft Statement of Interest (SOI) for the TC Passios Elementary and THMS which the School Committee has voted to move forward, and as such requested that the board vote in accordance with its charter, by-laws, and ordinances. The hope is that by submitting these SOI's at this time will bring our priorities to the attention of the School Building Assistance Board (SBAB). Dave questioned an estimated cost for each school and currently the Superintendent doesn't have this information available as they change based upon when it generally happens and would come before the town before the SBAB would move forward. Each one is considered individually and once on file with the SBAB will begin discussions and they will come out and visit the facilities to view first hand the challenges that we are faced with. Could provide some tentative figures, but we've been told that they probably are not representative as to what the actual cost is. In submitting these statements it does not obligate either the town or the state to funding but opens the communication between the two.

Tom A, motion to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated October 13, 2009 for the Thomas C. Passios Elementary School located at 1025 Massachusetts Avenue, which describes and explains the following deficiencies and the priority category(s) for which Lunenburg may be invited to apply to the Massachusetts School Building Authority in the future.

**TCP Passios: Priority 5;** Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility. The electrical distribution system for Thomas C. Passios Elementary School is out-dated and should be replaced. Classroom lighting needs to be updated to take advantage of improvements to lighting technology with daylight saving features. The original roof was replaced in 1986 and at 23 years old replacement is needed. Leaks from the roof risk damaging asbestos pipe wraps located above the hallway ceilings and causing indoor air quality concerns; and hereby further specifically acknowledges that by submitting this Statement of Interest, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Lunenburg Public School District to filing an application for funding with the Massachusetts School Building Authority.

Chair Tom A., accept motion to approve, Steve so moved, Tom M., seconded, voted unanimously to approve, 5-0.

Tom A., motion to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated October 13, 2009 for the Turkey Hill Middle School located at 129 Northfield Road, which describes and explains the following deficiencies and the priority category(s) for which Lunenburg may be invited to apply to the Massachusetts School Building Authority in the future.

**THMS: Priority 5;** Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility.

The Turkey Hill Middle School requires new unit ventilators and extending the digital control system out from the boiler room into the building to allow better control and more responsive identification of problems. Exterior windows in the building are single pane and in poor condition and require replacement; and hereby further specifically acknowledges that by submitting this Statement of Interest, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Lunenburg Public School District to filing an application for funding with the Massachusetts School Building Authority.

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Chair Tom A., accept motion to approve, Steve so moved, Tom M., seconded, voted unanimously to approve, 5-0.

**2. 7:20 PM – Nancy Strom, IT Director / Wireless Update** – Nancy informed the board that the wireless is based at town hall in the bellfry, registers out to town buildings including the schools which allows all the town buildings to share wireless and eventually to share data. It has been pretty stable with the exception of the Public Safety Building and they have their own Net1Plus internet service. Chair questioned if IT Director has been able to review the upgrade that was done to the facilities. Nancy hasn't had the opportunity as she is still locating physical locations and identifying the systems. Noted that there are a number of cabling issues and has to work through this. Chair questioned how long it may take to have a handle on this and per Nancy may take a couple of more months as she is working to put numerous fires out, noted that our access to the internet is through Comcast. Paula noted that it would be critical to have an inventory of the equipment and questioned if we do have an accounting of what equipment that's been purchased and what was replaced in the wireless upgrade, many of us have concerns about this, particularly what exactly was purchased. Per Nancy as far as an inventory there hasn't been one that has been kept, we are able to identify the number of systems that have been turned on in a given day through the program School Dude. Per Chair, these are questions that we've asked the CAFO, now Town Manager, to investigate. Per Nancy, that is one of the most difficult things that I've been dealing with, is getting and accounting of exactly what we do have.

**3. 7:40 PM – Tri-Town 40R License/Easement** – Attorney Mark Babrowski presented clean copies of the license agreement that Town Counsel has also reviewed. Mark noted the changes that have been incorporated based upon the prior meeting with the board. Town Counsel Shirin Everett informed the board that all the changes that were requested have been incorporated into the document. Board concurred that this addresses the issues that we had with the license agreement, and per Chair the Governor has recently released funding so that this project will be moving forward and will help us meet our affordable housing goals. Chair entertain motion, Tom M., move to approve the License Agreement and Covenant, Steve seconded, voted unanimously to approve, 5-0.

## **CURRENT BUSINESS**

### **1. CAFO Updates**

- Jack Rodriquez provided an update on the Meadow Woods property and has submitted as follows: noted that nothing is different that what board has heard at their previous meeting (revisions in italics), paving is to begin tomorrow and should be completed by the end of the week. Noted the issue of the broken pipe and that it was not actually a broken pipe but rather a plastic cap that covers the sewer cleanout at a higher elevation and is designed in this way so as to protect the cleanout below. The pipe was never cracked or compromised nor was the main line. He had brought to the attention of the reciever and Jack was informed that Mr. Dulchinos did call the electric company and to his knowledge they have not responded. Chair noted that from this point forward any issues related to the park should be brought directly to the reciever, Mr. Dulchinos and it should be his responsibility if he feels that something should be brought to the town and will have that discussion with the Town Manager. Per Dave recapped, every one has had the opportunity to voice their concerns and those that have been provided have been dealt with and all future issues are to be brought to the reciever, Peter Duchinos.

### **2. Minutes** - Board of Selectmen regular for 10/6/09 and 10/13/09 reviewed and signed.

**Warrants** - #20 10, 10/14/09 - \$255,692.15 and #21 10, 10/20/09 - \$416,584.62 reviewed and signed.

**Contracts** - None

**3. Action File Issues** – Letter received from Sam & Jackie Ramondelli of 599 Reservoir Rd. commending the tree service company, Asplundh Tree Expert Co., and the foreman, Mr. Pete Powers, for the great job clearing the brush and trees from the electrical wires on their street. Over the last 30 years on Reservoir Rd, I cannot tell you how many times we have been out of power, sometimes just with a small breeze. We are hopeful that with the trees away from the wires this problem that has been ongoing for some time will be solved.

Paula would like a follow up on the plumbing and electrical fees for Pearl Brook and also an update from Unitil and what their vegetated management plan moving forward. Also would like to move the joint meeting with the School Committee and Finance Committee asap.

## **OLD BUSINESS**

### **1. Committee Updates - None**

**2. Conflict of Interest** – Town Clerk will be on the November agenda and will come before the board with an update on the changes to the conflict of interest law. Paula noted that there is a requirement to appoint a liaison and would like to also have this placed on the agenda for the same meeting.

**3. Policies & Procedures** – tabled. Paula would suggest we table until after Town Meeting and perhaps schedule a workshop, to be placed on the agenda as a workshop in January 2010.

**4. Household Hazardous Waste / MOA** - Paula's concerns are the financial implications and that if the number of towns changes. One of her concerns is that no where in the agreement is it articulated that the costs implications will be reallocated should the number of participating communities change (per question/answer #3). She would like to see incorporated within the agreement (Membership Requirements) language that defines the re-evaluation / cost allocation.

Dave would like to see a spreadsheet identifying what our expenses have been versus what they will be so that they can see what the cost implications would be.

## **APPOINTMENTS/REAPPOINTMENTS**

## **EXECUTIVE SESSION**

### **1. Contract Negotiations**

Being no further business board voted unanimously to adjourn Regular Session at 8:20 P.M.

Respectfully submitted,

Laura Williams, Chief Administrative Assistant  
Board of Selectmen

# **Town of Lunenburg**

## **Department of Public Works**

**John M. Rodriquez**  
Director

*Tel.: (978) 582-4160*

*Fax: (978) 582-4152*



*520 Chase Road  
Lunenburg, MA 01462*

### MEADOW WOODS PUNCHLIST

September 1, 2009

*Revision: October 7, 2009 Appears in Italics*

#### **Units by letter**

##### **Lot C**

Water line was originally brought in underground and up through a plastic drum that was insulated to avoid freezing. New line was installed underground and up into the unit without insulation.

(water line is heat taped to the ground surface; DeFelice agrees to run heat tape below ground surface) (item #1)

As 6" sewer line was reduced to meet the existing, the pipe appears to be at right angles instead of 45"s creating a potential problem. The 90 is of smaller size than original. (the service is properly connected) Expose elbow to resident.

*Resident refused to allow DeFelice to expose the elbow. A second attempt to install within the above mentioned "drum" was not only refused but met with anger and profanity as the resident asked the worker to leave.*

##### **Lot K**

New grassy area rutted by trucks. No top dressing on right side of unit. All plants on left side were dug up. Will be satisfied with one shrub (rose of Sharon?)

(DeFelice to loam and seed right side of trailer) (item #2)

Add gravel to driveway (not part of project) Fill with any leftover shoulder material /Jack will buy and install plant(s)

*Top dressing and seeding was completed. After reviewing the precon video I noticed she had hostas. This is what I will plant in the spring*

**Lot T**

Damage to trailer and vehicle hood from rock

Has called DeFelice and Dulchinos with no results (issue with DeFelice's insurance company)

Sink hole rear of unit (DeFelice will fill) (item #3)

Completed. In fact the entire space between two units was loamed and seeded.

Water billing too high (not part of project)

Residents are proceeding with insurance claim.

**Lot P**

Two trees removed from driveway. Stumps remain. Portion of driveway not replaced, planted grass instead (not part of project, existing condition) Earth Tech and Contractor agree trees were not cut, stumps were existing. Video, meet with resident.

After reviewing the precon video trees are obvious. Contractor cut no trees. The cutting was part of an ongoing project under the direction of the park receiver. Driveway matches precon dimensions

**Units by number:****Lot 1**

Broken electrical line during service installation .Invoice from electrician. (Park receiver item)  
I have word that similar situation was covered by insurance, homeowner reimbursed

Dig Safe had been called early and often. Utilities could not be located and become the responsibility of the park receiver

**Lot 2**

Replace concrete pad(s). (DeFelice will fix) (item #4)View video as to condition of smaller concrete apron

Repave at least a portion of the driveway. (Existing condition) Video

Existing condition

Concrete work completed to the satisfaction of the resident.

**Lot 3**

Concrete pad over service not replaced (DeFelice will fix) (item #5)

Concrete work completed to the satisfaction of the resident.

**Lot 4**

Patch left side, Asphalt to concrete (DeFelice will fix) (item #6) Saw cut joints here and at all pads

Concrete work completed to the satisfaction of the resident

**Lot 14**

Concrete structure of old well to be removed (not part of project)

Not within the scope of the project. DEP requirements have been satisfied

**Lot 21**

Pave driveway. Used as staging area (not part of project, existing condition) View video

To be addressed by Town.

**Lot 22**

\*Water run under trailer instead of underground. Regrade yard to swale water runoff (DeFelice will re-grade swale) (item #7) Per RDA "Connect where you can" Grade was built up by contractor. Swale needs to be reestablished in order to run off drain water

Trench hand dug by contractor. Drain pipe installed. Resident satisfied.

**Lot 23-25**

Lot to be capped. Residents put regrind in place. Paving of roadway used as pass through/detour.

(not part of project, existing condition) Price from DeFelice Identify possible funding. This area used as main detour and staging throughout the entire project.

To be addressed by Town

**Lot 24**

Concrete pad on left side. (DeFelice will fix) (item #8) Saw cut and patch Driveway sealer. (not part of project) Resident hired own contractor. Did an awful job. DeFelice paved disturbed area as required by contract.

Concrete work completed.

**Lot 27**

\*60' of water line run under trailer instead of underground. (connection was performed to the best possible means available due to location and obstructions around trailer, water line has heat tape to avoid freezing of line) Per RDA "Connect where you can"

Reviewed with resident explaining contractor unable to excavate around trees because of potential of killing trees as well as undermining trailer. Resident asked for and received heat tape. Contractor installed

**Lot 28**

Same drainage issue that begins up gradient from #38 Benoit, stone washing across driveway  
Road needs to be backed up shoulder, and compacted (DeFelice will fix) (item #9)

Completed

Elevation of road in many places causing water problems (existing condition)

Quantify water and/or sewer lines not buried that were preciously run underground against extra  
footage quantity. / Were we charged the same per foot price as the line was strung under the  
units? (water and sewer services installed to the best industry standards with out causing  
damage to trailer footings or existing trailer piping.)

Town not overcharged

Resident in the DPW office this morning 10/7/09. Completely satisfied with utilities. Has  
contacted DeFelice insurance company and is pursuing a claim to "cap" his driveway. Was the  
only newly paved driveway in the park. Patching the trench and installing an apron is to the  
letter of the contract. Town will address final "capping" when result of insurance claim is  
determined.

**Lot 29**

Odor of sewer coming from under the unit. Crawl under and inspect

Upon inspection; new p.v.c. right up to the sub-flooring is not leaking. Internal plumbing problem

**Lot 38**

Put George and owner of unit face to face over agreement of paving limits  
See Above

No agreement made. Town will address paving issue